

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**PARKERSBURG DIVISION**

ANDREW SAMUEL COON

Plaintiff,

v.

CIVIL ACTION NO. 6:11-cv-00656

DARLENE FAY COON,

Defendant.

**ORDER**

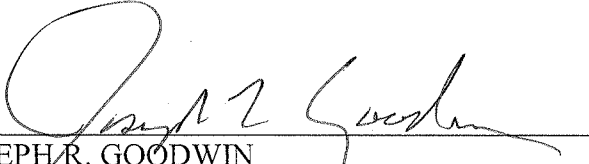
This action was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and has recommended that the court **DISMISS** the plaintiff's complaint [Docket 2] with prejudice for lack of subject matter jurisdiction over the plaintiff's claims against the defendant. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

A district court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the finds or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). As the parties have no filed objections in this case, the court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and orders judgment consistent with the

findings and recommendation. The court **DISMISSES** the plaintiff's complaint [Docket 2] with prejudice, and **DIRECTS** this action be removed from the docket. The court also **DENIES** the plaintiff's Application to Proceed Without Prepayment of Fees [Docket 1].

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: July 25, 2012



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE